

## POSH – Why it is not another Legislation?

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Unlike other legislation which specific to Head Count or Industry or workspace or location.

It is neither

- › Head count specific
  - If the strength is less than 10, then any complaint can be made to Local Committee
  - If the strength is 10 or more, then the establishment has to comply with constitution of Internal Committee, to whom the complaint can be made
- › Industry specific
  - Whether the establishment is,
    - Shop
    - Commercial Establishment
    - Factory
    - Mines
    - Catering establishment
    - Hospital
    - Plantation
    - Educational Institution (specific legislation is available)

- o Motor Transport organization
- o Or any other establishment
- o And a place for Domestic work
- > **Workspace specific**
  - Workplace
  - Official transportation
  - Travel
  - Remote Working
  - Official Conferences/Meeting
  - Official tours/sports event/gatherings/other events, etc
  - Client meetings, etc
- > **Location**
  - Any part of India, irrespective of City or Rural or Village

**MOST IMPORTANTLY IT IS INDIVIDUAL SPECIFIC TO THE WOMEN WHO ENGAGED AS EMPLOYEE. THE AGGRIEVED WOMAN CAN BE ANY WOMAN PRESENT AT THE WORKPLACE.**

And, the Non-compliance, leads to.....

- > **Penalty or Imprisonment or both**
- > **(cease to be Director for next 5 years)**
- > **Brand image (bad press) – reputational hazard**
- > **Attrition**
- > **Aversion by job applicants**
- > **Cancellation / Withdrawal / non-renewal of RC**
- > **Investor funding impact**
- > **Competitor advantage**

**HENCE THIS LEGISLATION – SEXUAL HARASSMENT OF WOMAN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT is just not another legislation, which can MANAGED but to be COMPLIED FULLY.**

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